

REMARKS/ARGUMENTS

Reconsideration of this patent application is respectfully requested in view of the foregoing amendments and the following remarks.

The Examiner has rejected claims 30 and 32-37 under 35 U.S.C. 112 second paragraph. Claims 30 and 32 have been amended to overcome this rejection.

The Examiner has indicated the finality of the restriction. Accordingly based upon the Examiner's instructions, claims 1-18, 20-29, and 31 have been canceled without prejudice.

The Examiner has rejected claims 19, 30, and 32-37 as being anticipated by U.S. Patent No. 2,734,193 to Croxhall.

With regard to claims 19 and 30 the following are differences between the present invention and Croxhall:

1) With Croxhall, the band 20 supports the breast in an entirely different way to the loosely located strip of the present invention. The loosely located strip of the present invention as claimed in claims 19 and 30 supports the breast directly from underneath while inside the bra cup. With this design, it is easy to position the strip

underneath the breast root or base as the breast is introduced into the breast cup to advantageously position the breast inside and relative to the bra cup. This can be done without additional support such as an additional pulling-up strap.

2) Furthermore, the present invention as claimed in claims 19 and 30 requires a “loosely located” inner strip. However, with Croxall, the band 20 is secured by stitching from a central location point around the lower edge of the breast pocket to point 24, it is respectfully submitted that this element is substantially sewn in and may not be considered as being loosely located. With the present invention as claimed in claims 19 and 30, the sides of the “inner strip” are completely loose or free.

3) Claims 19 and 30 require that the strip be configured to pull the breast, in use, upwardly and inwardly towards a cleavage of the breast.

Instead, with Croxall, the band 20 itself is not configured to pull the breast, in use, upwardly and inwardly towards the cleavage; it is instead reliant on the exterior strap 31 to pull the breast.

4) Moreover, the strip of claims 19 and 30 is limited to being “stretchable” unlike band 20 of Croxall which is merely “flexible”. The only stretchable (elastic) element in Croxall is provided in the optional strap section 31’ which is not part of band 20.

Therefore, for this additional reason, it is respectfully submitted that the present invention as claimed in claims 19 and 30.

Claim 19 was amended as follows:

wherein said strip is diagonally mounted on said breast cup to extend inside said breast cup

Claim 30 was also amended as follows:

wherein said strip is diagonally mounted on said associated breast cup to extend inside said associated breast cup from said upper attachment end to said lower attachment end.

In contrast, the Croxall arrangement is much more unsightly and cumbersome from outside the bra with support given to the breast from outside (rather than inside) the breast cup by a further suspension strap 31 and shoulder strap buckle 32 being attached to the band 20. Thus, with this design, the bra would look unsightly underneath clothing due to the exterior band 20 and the suspension strap.

Therefore, for this additional reason, it is respectfully submitted that the present invention as claimed in claims 19 and 30 is patentable over the above cited references taken either singularly or in combination.

In conclusion, claims 19, 30, 32 and 35-37 have been amended, claims 19, 30, and 32-37 and remain in the application. Early allowance of the remaining claims is respectfully requested.

Respectfully Submitted,

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